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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

MARANDI, JAMES R

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/578,819	Applicant(s) LEFEVRE ET AL.	
	Examiner JAMES R. MARANDI	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This action is in response to applicant's remarks and amendment filed on 6/23/2008. Claims 1-18 are still pending in the present application. Claims 19 and 20 are newly added.
2. The amended claim 2 is objected to as it does not comply with the manner of making amendments as set forth in 37 CFR § 1.121 (See MPEP 714). The added limitation "and the content information is" must be underlined. However, to expedite prosecution, the amendment is understood and is entered as such.
3. In light of applicant's amendment, the rejection of claims 2, and 3 under 35 U.S.C. § 112, second paragraph, is hereby withdrawn.

Response to Arguments

4. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues (page 3, 3rd paragraph) that “**Sampsell makes no mention of peripheral device storing a program...**”. Furthermore, applicant asserts (page 9, 2nd paragraph) that “*Sampsel mention use of legacy VCR as possible peripheral device...*”.

Examiner disagrees with both assertions.

Merriam-Webster Dictionary defines “*Peripheral*” as a device connected to a computer to provide communication or auxiliary functions. Referring to Sampsell’s Figure 1, every element contains a CPU, storage, and software enabling it to communicate with other elements and as such are all peripheral devices (also see Col. 3, lines 20- 25).

Sampsell teaches how a legacy VCR (#2) could become compatible and supported by his invention (Col. 8, lines 54- 65). Sampsell fully anticipates that the data services (processing of ERG, EPG, etc) can require a higher degree of processing power than that which is available in legacy appliances, and calls for the ability of another appliance to process such data (Col 6, lines 58- 66). It is well known by those skilled in the art that ***The ATSC Program and System Information Protocol (PSIP) is specified in standards document A/65, and provides extension to MPEG 2 for the identification of streams associated with a program and time of day information. It provides sufficient data for a***

program guide function, and is structured such that a broadcaster may provide data independently for his own service (in which case the receiver can assemble a guide form several sources), or in cooperation with other broadcasters. As such, Sampsell's teachings endure.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by J.B. Sampsell, US Patent No. 6,219,839 (hereinafter "Sampsell").

Regarding claim 1, Sampsell discloses:

A method for displaying on a television apparatus (Figure 1, element 12), **content information associated with peripheral device interconnected with the television apparatus via a digital serial bus** (Figure 1, element 30; Column 3, lines 66-67; Column 4, lines 1-3)), **the method comprising:**

receiving, by the television apparatus (Figure 1, element 12), a user request to view content information associated with a selected peripheral device (Column 5, lines 11- 21) interconnected to the television apparatus via the digital serial bus (Column 4, lines 17- 47);

obtaining, by the television apparatus, content information from the selected peripheral device regardless of whether the selected peripheral device is a currently selected input source for the television apparatus; and displaying, by the television apparatus, the received content information for the selected peripheral device (Figure 9). (Column 3, lines 16- 36)

wherein said selected peripheral device stores (PC connected to the network referred to as PC 54, Col. 5, lines 53, can store and display) program data stream received from a broadcast source (DBS, 24) and the content information was obtained from auxiliary data associated with the program data stream (such as information available from digital program streams). (Also see col. 5, lines 58- 67)

Regarding claim 2, Sampsell discloses **wherein the digital serial bus is an IEEE 1394 compliant serial bus and the content information is obtained from PSIP data associated with an ATSC stream.** (Column 4, lines 22- 30, furthermore, it is well known by those skilled in the art that *The ATSC Program and System Information Protocol (PSIP) is specified in standards document A/65,*

and provides extension to MPEG 2 for the identification of streams associated with a program and time of day information. It provides sufficient data for a program guide function, and is structured such that a broadcaster may provide data independently for his own service (in which case the receiver can assemble a guide from several sources), or in cooperation with other broadcasters.)

Regarding claim 3, Sampsell discloses **in response to a second user input, obtaining, by the television apparatus, content information from a second selected peripheral device; and displaying, by the television apparatus, the received content information of the second selected peripheral device**, see Figure 7; Column 6, lines 40-43.

Regarding claim 4, Sampsell discloses **wherein the content information comprises table of contents information for programs stored on a storage medium of the selected peripheral device**; see Figure 1, elements 14, 18, 20, and 26. Also, Column 6, lines 58-66, teaches ability to use storage, processing power throughout the network.

Regarding claim 5, Sampsell discloses **wherein the table of contents information is displayed on the television apparatus on a per peripheral device basis**. (Figure 9. elements 100, 102, 82, 84)

Regarding claim 6, Sampsell discloses **allowing by the television apparatus, a user to cycle through a loop of peripheral devices interconnected to the television apparatus.** (Figure 9. elements 100, 102, 82, 84)

Regarding claim 7, Sampsell discloses **allowing by the television apparatus, a user to manipulate the displayed content information in response to user input received by the television apparatus.** (Figure 9. elements 100, 102, 82, 84)

Regarding claim 8, Sampsell discloses **wherein manipulation includes moving through the content information, deleting the content information, and playing selected programs,** Sampsell discloses full access to the operations of the attached devices. In Figure 10, he shows how to control the operation of one such device DVD, and offers the capability of routing content and recording the same (Column 7, lines 22-45). Furthermore, a PC with processing capabilities is disclosed. The ability to record digital content and also provide for deletion of such content, as reflected in Column 7, lines 39-47).

Claim 19 is rejected by the same analysis as claim 2.

Claim 9 is rejected by the same analysis as claim 1, as Sampsell's teaching not only include any digital interface (Figure 1, element 30), but also IEEE 1394 bus

(Column 4, lines 27-30).

Regarding claim 10, Sampsell discloses **detecting connection of the selected peripheral device to the digital serial bus, and upon detection, obtaining the table of content information from the selected peripheral device.**

(Column 5, lines 26-39; Column 7, lines 54- 65)

Regarding claim 11, Sampsell discloses **in response to a second user input, establishing communication between the digital television apparatus and a second selected peripheral device via the 1394 serial bus; obtaining by the digital television apparatus, table of contents information associated with a storage medium of the second selected peripheral device; and displaying by the digital television apparatus, the table of contents information from the second selected peripheral device.** See Figure 1, elements 30, 14, 18, 20, and 26. Also, Column 6, lines 58-66, teaches ability to use storage, processing power throughout the network.

Regarding claim 12, Sampsell discloses **wherein the table of contents information of the selected peripheral device includes one or more of title, time created, total track time, current track time, artist, genre, and program description for each track of table of contents data.** Sampsell has used an example of a DVD, column 7, lines 14-22, to demonstrate that his teaching is

capable of presenting as much information as is available (full length movie, celebrity interviews, director comments, etc.)at the source to the viewer through the use of ERG and EPG. This fully meets the limitation of claim 12.

Regarding claim 13, Sampsell discloses **further comprising: allowing by the digital television apparatus, a user to cycle through a loop of peripheral devices interconnected to the television apparatus via the 1394 serial bus,** (Figure 9. elements 100, 102, 82, 84).

Regarding claim 14, Sampsell discloses **further comprising: allowing by the digital television apparatus, a user to manipulate the displayed content data in response to user input received by the digital television apparatus including moving through the table of contents information, deleting table of contents information, and playing a selected program.** Sampsell discloses full access to the operations of the attached devices. In Figure 10, he shows how to control the operation of one such device DVD, and offers the capability of routing content and recording the same (Column 7, lines 22-45). Furthermore, a PC with processing capabilities is further disclosed. The ability to record digital content and also provide for deletion for such content, as reflected in Column 7, lines 39-47).

Claims 15-18 and 20, **a digital television apparatus**, effectuating the methods of claims 1-8 are hereby rejected by the same analysis.

Conclusions

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Contacts

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES R. MARANDI whose telephone number is (571)270-1843. The examiner can normally be reached on 8:00 AM- 5:00 PM M-F, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher C. Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James R. Marandi/

/Christopher Grant/
Supervisory Patent Examiner, Art Unit 2623